

Committee Room,
Austin, Texas, September 21, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 12, "An Act to extend
the time for the payment of notes or
obligations executed prior to Novem-
ber 1, 1901, by purchasers of school
land for the unpaid balance of
principal due the State thereon, such
extensions to be for a period of ten
(10) years from and after the
passage of this Act, and declaring an
emergency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, September 21, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 16, Requesting the
President of the United States to
direct Federal Relief Agency to co-
operate with the Texas Relief Agency,

Has carefully compared same, and
finds it correctly enrolled.

MORRISON, Vice-Chairman.

TWENTY-FIRST DAY

(Saturday, September 22, 1934)

The House met at 9:45 o'clock a. m.,
pursuant to adjournment, and was
called to order by Speaker Stevenson.

The roll was called, and the follow-
ing Members were present:

Mr. Speaker.	Caven.
Adamson.	Chastain.
Aikin.	Clayton.
Alexander.	Colson.
Alsup.	Crossley.
Anderson.	Daniel.
Atchison.	Davidson.
Baker.	Dean.
Barrett.	Devall.
Barron.	Dunlap.
Beck.	Dunagan.
Bergman.	Duvall.
Bourne.	Dwyer.
Bradley.	Engelhard.
Burns.	Fain.
Butler.	Fuchs.
Calvert.	Glass.
Camp.	Golson.
Canon.	Good.

Goodman.
Graves.
Greathouse.
Griffith.
Hankamer.
Harman.
Harris.
Hartzog.
Head.
Hicks.
Hill.
Hodges.
Holekamp.
Holland.
Holloway.
Hoskins.
Huddleston.
Hughes.
Hunt.
Hunter.
Jackson.
Jefferson.
Johnson
of Anderson.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Kyle of Hays.
Kyle of Palo Pinto.
Laird.
Lange.
Latham.
Lemens.
Leonard.
Lindsey.
Long.
Lotief.
Mackay.
Magee.
Mathis.
McCullough.
McGregor.
McKee.
Merrit.
Metcalf.
Mitcham.
Moffett.

Moore.
Morrison.
Morse.
Munson.
Nicholson.
Parkhouse.
Patterson.
Pavlica.
Pope.
Purvey.
Ramsey.
Ratliff.
Ray.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Roark.
Roberts.
Rogers of Hunt.
Rogers
of Ochiltree.
Rollins.
Savage.
Scarborough.
Scott.
Shannon.
Shults.
Stanfield.
Steward.
Stinson.
Stovall.
Stubbeman.
Tarwater.
Tennyson.
Thomas.
Tillery.
Townsend.
Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Weinert.
Wood.
Young.

Absent

Celaya.
Harrison.

McDougald.

Absent—Excused

Bedford.	James.
Cathey.	Johnson
Coombes.	of Dimmit.
Cowley.	Palmer.
Fisher.	Russell.
Ford.	Smith.
Hester.	Wells.
Hyder.	Winningham.

A quorum was announced present.

Prayer was offered by Rev. Geo. W.
Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. James for today, on motion of Mr. Parkhouse.

Mr. Fisher for today, on motion of Mr. Alsup.

Mr. Wells and Mr. Ford for today, on motion of Mr. Head.

Mr. Coombes for today, on motion of Mr. Good.

Mr. Smith for today, on motion of Mr. Golson.

Mr. Palmer for today, on motion of Mr. Colson.

Mr. Russell for today, on motion of Mr. Scott.

Mr. Hyder for today, on motion of Mr. McCullough.

Mr. Cowley for today, on motion of Mr. Butler.

Mr. Cathey for today, on motion of Mr. Pavlica.

BILL ORDERED NOT PRINTED

On motion of Mrs. Hughes, Senate Bill No. 36 was ordered not printed.

TO INVITE MEMBERS OF THE
EXECUTIVE COMMITTEE OF
THE TEXAS CENTEN-
NIAL COMMISSION TO
ADDRESS THE
HOUSE

Mr. Savage offered the following resolution:

Whereas, The voters of the State of Texas adopted a constitutional amendment for the purpose of providing for and holding a Centennial in Texas in 1936; and

Whereas, At the Second Called Session of the Forty-third Legislature, in February, 1934, the Legislature passed a bill authorizing and approving the Texas Centennial and created the Centennial Commission and Executive Board of said Commission for the purpose of planning and providing for the holding of said Centennial; and

Whereas, Recently the said Commission, after full consideration, decided to hold the main Centennial at Dallas, Texas, and to make further provisions for celebrations at historic points over the State during said Centennial; and

Whereas, The authorities of the

City of Dallas, and its citizenship, are daily making plans and preparations for the holding of a Centennial that will be a credit to the entire State; and

Whereas To make proper preparations for the holding of said Centennial within a very short time and for the purpose of securing full co-operation not only of the City, but of the State and Nation, it is necessary that the House of Representatives be as fully advised as possible as to the program that is being outlined and planned; now, therefore, be it

Resolved by the House of Representatives, That members of the Executive Committee of the Texas Centennial Commission be invited to appear and address the House on Monday at 2 p. m., September 24, 1934.

SAVAGE,
SHANNON,
WELLS,
TENNYSON,
WAGSTAFF.

The resolution was read second time.

Mr. Good moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—55

Aikin.	Jones of Shelby.
Alexander.	Lange.
Baker.	Latham.
Beck.	Lemens.
Bergman.	Lotief.
Bourne.	Magee.
Calvert.	McCullough.
Caven.	McGregor.
Colson.	Merritt.
Crossley.	Metcalfe.
Devall.	Moffett.
Dunagan.	Nicholson.
Dwyer.	Pavlica.
Fain.	Puryear.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Good.	Roark.
Graves.	Rogers of
Griffith.	Ochiltree.
Hartzog.	Rollins.
Hicks.	Scarborough.
Hill.	Scott.
Holekamp.	Steward.
Hoskins.	Stubbeman.
Hunt.	Tarwater.
Jackson.	Tillery.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.

Nays—54

Adamson.	Laird.
Alsup.	Leonard.
Anderson.	Lindsey.
Atchison.	Mackay.
Barron.	McKee.
Bradley.	Mitcham.
Burns.	Moore.
Butler.	Morse.
Camp.	Munson.
Canon.	Parkhouse.
Chastain.	Ratliff.
Daniel.	Reed of Dallas.
Dean.	Renfro.
Duvall.	Roberts.
Engelhard.	Rogers of Hunt.
Golson.	Savage.
Goodman.	Shannon.
Greathouse.	Shults.
Harman.	Stinson.
Harris.	Stovall.
Hodges.	Tennyson.
Holland.	Thomas.
Hughes.	Townsend.
Hunter.	Turlington.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Kayton.	Wood.
Kyle of Palo Pinto.	

Absent

Barrett.	Long.
Celaya.	Mathis.
Clayton.	McDougald.
Davidson.	Morrison.
Dunlap.	Patterson.
Hankamer.	Pope.
Harrison.	Ramsey.
Head.	Reader.
Holloway.	Riddle.
Huddleston.	Stanfield.
Jefferson.	Van Zandt.
Kyle of Hays.	Young.

Absent—Excused

Bedford.	James.
Cathey.	Johnson
Coombes.	of Dimmit.
Cowley.	Palmer.
Fisher.	Russell.
Ford.	Smith.
Hester.	Wells.
Hyder.	Winningham.

RELATIVE TO CENTENNIAL APPROPRIATION

Mr. Hunt offered the following resolution:

Whereas, The Texas Centennial Committee is being urged to suggest and recommend an appropriation of five million dollars (\$5,000,000), to be appropriated by the Forty-fourth

Legislature for the purpose of paying cost of financing the Centennial Exposition, and

Whereas, The revenues of the State of Texas are not sufficient to reimburse its depleted Treasury, and

Whereas, An additional tax measure is necessary for the raising of said five million dollars (\$5,000,000); therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Secretary of State be requested to submit to a vote of the qualified electors of this State at the next general election to be held on the Tuesday after the first Monday in November, A. D., 1934, at which time all ballots shall have printed thereon:

"For—Making an appropriation of five million dollars (\$5,000,000), to be made by the Texas Legislature to be used for the purpose of commemorating a Century of our Independence and Progress."

"Against—An appropriation of five million dollars (\$5,000,000), to be made by the Texas Legislature to be used for the purpose of commemorating a Century of our Independence and Progress."

"I favor the following tax to reimburse the State Treasury for said five million dollars (\$5,000,000) appropriation:

.....
....."

The resolution was read second time.

Mr. Alexander raised a point of order on further consideration of the resolution, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Parkhouse moved that the House Rule relative to the time allotted for the consideration of resolutions, be suspended, for the purpose of further considering the resolution.

The motion was lost.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 30, "An Act authorizing cities having more than sixteen thousand inhabitants as shown by the last Federal Census, preceding such action, and containing a junior college within

their corporate limits, to establish community centers consisting of all land and buildings or structures necessary therefor, including gymnasiums, auditoriums, natatoriums, and dormitories to furnish residence to teachers and students attending schools and college in any such city; authorizing such cities to issue bonds or notes to purchase, construct, or improve the properties and facilities comprising such community centers and to mortgage and encumber all such properties and facilities, the income therefrom, and everything pertaining thereto, to secure payment of such bonds or notes; providing that the gymnasium, auditorium, natatorium, and dormitory may be included in one or more buildings or structures, within the discretion of the governing body of such city; authorizing such cities to borrow money on the security of the properties and facilities comprising such community centers, and the income therefrom, and everything pertaining thereto, acquired or to be acquired, for the purpose of paying the purchase price and/or construction cost, and to issue bonds or notes to evidence the money so borrowed, which bonds or notes shall have the characteristics of negotiable instruments under the law merchant, maturing not to exceed thirty (30) years from date and bearing interest at a rate of not to exceed five (5) per cent; etc., and declaring an emergency."

EXTENDING INVITATION TO ADDRESS THE HOUSE

Mr. Savage, by unanimous consent, offered the following resolution:

Whereas, The voters of the State of Texas adopted a constitutional amendment for the purpose of providing for and holding a Centennial in Texas, in 1936, and

Whereas, At the Second Called Session of the Forty-third Legislature in February, 1934, the Legislature passed a bill authorizing and approving the Texas Centennial and created the Centennial Commission and Executive Board of said Commission for the purpose of planning and providing for the holding of said Centennial, and

Whereas, Recently the said Commission, after full consideration, decided to hold the main Centennial at Dallas, Texas, and to make further provisions for celebrations at historic

points over the State during the Centennial, and

Whereas, The authorities of the City of Dallas, and its citizenship, are daily making plans and preparations for the holding of a Centennial that will be a credit to the entire State, and

Whereas, To make proper preparations for the holding of said Centennial within a very short time and for the purpose of securing full cooperation not only of the city, but of the State and Nation, it is necessary that the House of Representatives be as fully advised as possible as to the program that is being outlined and planned; now, therefore, be it

Resolved by the House of Representatives, That members of the Executive Committee of the Texas Centennial Commission be invited to appear and address the House on Monday evening, at 8 p. m., September 24, 1934.

The resolution was read second time, and was adopted.

TO PROVIDE FOR AN INVESTIGATION OF THE ENFORCEMENT OF THE CONSERVATION LAWS, ETC.

The Speaker laid before the House, as pending business, for consideration at this time, resolution heretofore offered by Mr. Scarborough and others, relative to providing for the appointment of a committee to investigate the enforcement of the Conservation and Proration Laws of Texas;

The resolution having heretofore been read second time, with substitute resolution by Mr. Turlington, and amendment by Mr. Scarborough, and Mr. Dunagan to the resolution by Mr. Turlington, pending.

Mr. McGregor moved that the resolution be laid on the table subject to call.

Question recurring on the motion by Mr. McGregor, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—73

Adamson.	Bourne.
Alexander.	Chastain.
Alsup.	Colson.
Anderson.	Crossley.
Atchison.	Devall.
Baker.	Dwyer.
Beck.	Engelhard.
Bergman.	Fain.

Fuchs.	McKee.
Glass.	Mitcham.
Golson.	Moffett.
Goodman.	Moore.
Graves.	Munson.
Greathouse.	Nicholson.
Griffith.	Pavlica.
Harman.	Ratliff.
Harris.	Ray.
Head.	Reader.
Hicks.	Reed of Bowie.
Holekamp.	Reed of Dallas.
Holland.	Riddle.
Hoskins.	Roark.
Huddleston.	Rogers of Hunt.
Jackson.	Rogers of
Johnson	Ochiltree.
of Anderson.	Rollins.
Jones of Atascosa.	Savage.
Jones of Runnels.	Steward.
Kyle of Palo Pinto.	Stinson.
Lange.	Stovall.
Latham.	Tarwater.
Lemens.	Tennyson.
Leonard.	Thomas.
Lindsey.	Turlington.
Long.	Walker.
Mackay.	Wood.
Magee.	Young.
McGregor.	

Nays—48

Aikin.	Kayton.
Barron.	Kyle of Hays.
Burns.	Laird.
Butler.	Lotief.
Calvert.	Mathis.
Camp.	Merritt.
Canon.	Metcalf.
Caven.	Morrison.
Clayton.	Morse.
Daniel.	Parkhouse.
Dean.	Patterson.
Dunagan.	Pope.
Duvall.	Puryear.
Good.	Renfro.
Hankamer.	Roberts.
Harrison.	Scarborough.
Hartzog.	Scott.
Hill.	Shannon.
Hodges.	Shults.
Hughes.	Stanfield.
Hunt.	Stubbeman.
Hunter.	Townsend.
Jefferson.	Vaughan.
Jones of Shelby.	Weinert.

Present—Not Voting

Tillery.

Absent

Barrett.	McCullough.
Bradley.	McDougald.
Celaya.	Ramsey.
Davidson.	Van Zandt.
Dunlap.	Wagstaff.
Holloway.	

Absent—Excused

Bedford.	James.
Cathey.	Johnson
Coombes.	of Dimmit.
Cowley.	Palmer.
Fisher.	Russell.
Ford.	Smith.
Hester.	Wells.
Hyder.	Winningham.

MOTION TO TAKE UP SENATE
BILL NO. 18

Mr. Reader asked unanimous consent of the House to take up for consideration at this time,

S. B. No. 18, A bill to be entitled "An Act to prohibit the sale of barbituric acid or derivatives and compounds thereof under any copyrighted or chemical names except to wholesale drug houses, chemical houses and dispensing pharmacies or practicing physicians; providing that the same may not be dispensed except by a practicing physician or retail pharmacy on prescriptions written by a legally qualified practicing physician; providing certain rules and regulations; prescribing a penalty for the violation of this Act, and declaring an emergency."

There was objection offered.

SENATE BILL NO. 3 ON PASSAGE
TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 3, A bill to be entitled "An Act creating Colorado River Authority, a governmental agency, body politic and corporate, as a water control and conservation district under Section 59, of Article XVI, of the Constitution; etc., and declaring an emergency";

The bill having heretofore been read second time.

(Mr. Burns in the Chair.)

Mr. Engelhard offered the following committee amendment to the bill: Amend Senate Bill No. 3 by adding thereto the following section at the proper place therein, to be known as Section 5-a:

"Section 5-a. Provided, however, that the funds received from the United States of America by virtue of this Act, and as provided herein, shall only be used for the purpose

of acquiring necessary lands, paying off already acquired and established liens (excluding any lien, if any, to holders of now existing bonds); the payment of any necessarily created damages to the State Highway Department for destroyed or inundated State highways or structures; and the completion of the dam now in process of being constructed, and construction of other dams, and the hydro-electric plant equipment."

Mr. Graves offered the following substitute for the committee amendment:

Amend Senate Bill No. 3 by adding a new section after Section 5, to be known as Section 5-a, and to read as follows:

"Section 5-a. It is provided that the funds which have been allotted to the Colorado River project by the Emergency Administration of Public Works of the United States of America and which may be received out of said allotment by the district herein created under the terms of this Act shall only be used for the purpose of acquiring necessary lands, paying off already acquired and established liens (excluding any lien to any holders of bonds now issued or outstanding); the payment of costs of relocating roads, bridges and highways, removal of cemetery, paying interest on outstanding bonds to P. W. A. or any Governmental agency, and the costs necessarily incident to the completion of the partially constructed dam, powerhouse and necessary appurtenances thereto (including supervisory and administrative costs of the district), which dam has heretofore been known as 'Hamilton Dam,' now known as 'Buchanan Dam,' and is located within said district on the Colorado River between Burnet and Llano Counties."

Question recurring on the substitute amendment by Mr. Graves, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—104

Adamson.	Bergman.
Aikin.	Bourne.
Alexander.	Butler.
Alsup.	Calvert.
Anderson.	Camp.
Atchison.	Canon.
Barrett.	Caven.
Beck.	Chastain.

Clayton.
Crossley.
Dean.
Devall.
Dunagan.
Duvall.
Engelhard.
Fain.
Fuchs.
Glass.
Golson.
Goodman.
Graves.
Greathouse.
Griffith.
Hankamer.
Harman.
Harris.
Hartzog.
Hicks.
Hill.
Hodges.
Holekamp.
Holloway.
Hoskins.
Hughes.
Hunter.
Jackson.
Jefferson.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Kyle of Hays.
Kyle of Palo Pinto.
Lange.
Latham.
Lemens.
Leonard.
Lindsey.
Lotief.
Mackay.
Magee.
Mathis.

McCullough.
McGregor.
McKee.
Metcalfe.
Mitcham.
Moffett.
Moore.
Morrison.
Munson.
Nicholson.
Patterson.
Pavlica.
Pope.
Puryear.
Ramsey.
Ratliff.
Ray.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Roark.
Roberts.
Rogers of Hunt.
Rollins.
Savage.
Shannon.
Shults.
Stanfield.
Steward.
Stinson.
Stovall.
Tarwater.
Tennyson.
Thomas.
Tillery.
Townsend.
Turlington.
Vaughan.
Walker.
Weinert.
Wood.
Young.

Nays—8

Head.	Scott.
Huddleston.	Stubbeman.
Merritt.	Van Zandt.
Parkhouse.	Wagstaff.

Absent

Baker.	Holland.
Barron.	Hunt.
Bradley.	Johnson
Burns.	of Anderson.
Celaya.	Laird.
Colson.	Long.
Daniel.	McDougald.
Davidson.	Morse.
Dunlap.	Rogers
Dwyer.	of Ochiltree.
Good.	Scarborough.
Harrison.	

Absent—Excused

Bedford.	James.
Cathey.	Johnson
Coombes.	of Dimmit.
Cowley.	Palmer.
Fisher.	Russell.
Ford.	Smith.
Hester.	Wells.
Hyder.	Winningham.

Mr. Kayton offered the following substitute for the amendment by Mr. Graves:

"Provided, however, that the funds received from the United States of America, by virtue of this Act, and as provided herein, shall only be used for the purpose of completing the construction of the dam."

Mr. Daniel moved that the bill be laid on the table subject to call.

The motion was lost.

Question—Shall the amendment by Mr. Kayton be adopted?

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, September 22, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 21, A bill to be entitled "An Act further prescribing the powers and duties of the Railroad Commission of Texas in respect to the conservation of oil and gas and the regulation of the production, storage, transportation, sale and handling thereof; amending Section 14 of Chapter 26 of the Acts of the First Called Session of the Forty-second Legislature; prohibiting the purchase, transportation, sale or handling of crude petroleum oil or natural gas produced in violation of any statute or any rule, regulation or order of the Railroad Commission; prohibiting the purchase, transportation, sale or handling of any product, by-product or derivative of crude petroleum or natural gas which has been manufactured, refined or produced from crude petroleum or natural gas produced in violation of any statute or any rule, regulation or order of the Railroad Commission of the State of Texas, and declaring an emergency."

S. B. No. 30, A bill to be entitled "An Act making an appropriation to pay per diem and expenses of persons serving on the textbook committee from October 1 to October 13, 1933, and making an appropriation to pay per diem and expenses of members of the State Board of Education incurred in connection with its meeting July 13 and August 1, 1933, and declaring an emergency."

S. B. No. 11, A bill to be entitled "An Act amending Title 42, Chapter 13, Part 2, R. C. S., 1925, with reference to receivers and receiverships by adding thereto the following article to be known as Article 2320-a, authorizing proceedings by persons defined herein in the relief of debtors and providing for reorganization and readjustment of their indebtedness and affairs, providing the method, means and manner thereof and for proceedings in furtherance and aid thereof and for the adjudication of the rights of parties affected; prescribing jurisdiction and the power and authority of judges and courts in the premises to protect the assets of such debtors and to safeguard and insure the continuation of the business of such debtors to the end that they shall continue to provide employment for labor and to encourage the orderly and economical administration of the affairs of such debtors, and providing generally for the relief of distressed debtors, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 11, to the Committee on State Affairs.

Senate Bill No. 21, to the Committee on Oil, Gas, and Mining.

Senate Bill No. 30, to the Committee on Appropriations.

RECESS

On motion of Mr. Butler, the House at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Camp was granted leave of absence for this afternoon on account of important business, on motion of Mr. Parkhouse.

Mr. Mathis was granted leave of absence for this afternoon, and Monday and Tuesday of next week, on account of important business, on motion of Mr. Wagstaff.

SENATE BILL NO. 6 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 6, A bill to be entitled "An Act amending Article 3369, Revised Civil Statutes of Texas, 1925, correcting the same by inserting the words 'testamentary or' after the word 'letters' in the last sentence thereof, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 7 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 7, A bill to be entitled "An Act amending Article 4195-a, Acts of the Fortieth Legislature, Regular Session, Chapter 31, page 43, correcting the same by inserting the word 'ward' in place of the word 'minor,' and by inserting the number '4198' in place of the number '4197,' and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 8 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House,

on its second reading and passage to third reading,

S. B. No. 8, A bill to be entitled "An Act amending Article 1043, Revised Civil Statutes of Texas, 1925, so as to permit municipal corporations whose fiscal year runs otherwise than the calendar year, to require assessment to cover property possessed or controlled on the first day of the fiscal year; such inventory to be handed to the city assessor and collector within the first three months of the first year, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 14 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 14, A bill to be entitled "An Act to declare a closed season on the killing of blue quail, bobwhites, and doves in Terry County for a period of five years; prescribing a penalty therefor, and declaring an emergency."

The bill was read second time, and was passed to third reading.

NOTICE GIVEN

Mr. Scarborough gave notice that he would, on the next legislative day, call up for consideration at that time,

Resolution, Relative to the enforcement of certain laws, which resolution was heretofore laid on the table subject to call.

SENATE BILL NO. 20 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 20, A bill to be entitled "An Act validating, ratifying, and approving ordinances of all home rule cities in this State having a population of more than twenty thousand (20,000) inhabitants, and less than

twenty-one thousand (21,000) inhabitants, according to the last preceding Federal Census, relinquishing, discontinuing, and segregating territory in the corporate limits of said home rule cities, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 29 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 29, A bill to be entitled "An Act amending Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session, adding thereto a section to be 'Section 90-a,' and, in substance, to provide: That certain water control and improvement districts, in addition to, or in lieu of, securing their bonds by the levy and collection of taxes, as now provided, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 31 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 31, A bill to be entitled "An Act declaring it unlawful to take any wild duck, wild goose, wild brant, wild snipe, or wild coot at any time other than during the open season; prohibiting the taking or possessing of any of such birds in excess of the bag limit; defining open season and bag limits; and declaring an emergency."

The bill was read second time.

Mr. Hartzog offered the following amendment to the bill:

Amend Senate Bill No. 31, by striking out on line 6, of Section 4, the words "any portion," and inserting in lieu thereof the following: "the North or South Zone," and striking out on the next to last line of said section, the words "any county or district," and inserting in lieu thereof, the following: "the North or South Zones of this State."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

Senate Bill No. 31 was then passed to third reading.

RELATIVE TO SENATE BILL NO. 21

Mr. Long moved that the House Rule, relative to the time allotted for the consideration of routine motions, be suspended for the purpose of making the motion, at this time, that Senate Bill No. 21 be printed in mimeograph form and not otherwise printed.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—62

Alexander.	Lindsey.
Atchison.	Long.
Barron.	Lotief.
Bradley.	Mackay.
Butler.	Mathis.
Calvert.	Moffett.
Camp.	Moore.
Chastain.	Morrison.
Clayton.	Nicholson.
Colson.	Pope.
Daniel.	Puryear.
Dean.	Ratliff.
Engelhard.	Reed of Bowie.
Fuchs.	Roark.
Glass.	Roberts.
Goodman.	Rogers
Graves.	of Ochiltree.
Harris.	Rollins.
Harrison.	Shults.
Holekamp.	Stanfield.
Holland.	Steward.
Huddleston.	Stinson.
Hughes.	Stubbeman.
Jackson.	Tarwater.
Jones of Atascosa.	Tennyson.
Jones of Runnels.	Townsend.
Kayton.	Turlington.
Kyle of Hays.	Wagstaff.
Laird.	Walker.
Lange.	Weinert.
Latham.	Wood.
Leonard.	

Nays—47

Adamson.	Crossley.
Aikin.	Devall.
Alsup.	Dunagan.
Barrett.	Duval.
Bergman.	Fain.
Bourne.	Golson.
Burns.	Good.
Canon.	Hankamer.
Caven.	Harman.

Hartzog.	Merritt.
Head.	Munson.
Hicks.	Pavlica.
Hill.	Ramsey.
Hodges.	Ray.
Hoskins.	Reed of Dallas.
Hunt.	Renfro.
Hunter.	Riddle.
Johnson	Rogers of Hunt.
of Anderson.	Scarborough.
Jones of Shelby.	Scott.
Kyle of Palo Pinto.	Shannon.
Magee.	Stovall.
McCullough.	Thomas.
McGregor.	Van Zandt.

Absent

Anderson.	Lemens.
Baker.	McDougald.
Beck.	McKee.
Cathey.	Metcalfe.
Celaya.	Mitcham.
Coombes.	Morse.
Cowley.	Palmer.
Davidson.	Parkhouse.
Dunlap.	Patterson.
Dwyer.	Reader.
Fisher.	Russell.
Ford.	Savage.
Greathouse.	Smith.
Griffith.	Tillery.
Holloway.	Vaughan.
Hyder.	Wells.
Jefferson.	Young.

Absent—Excused

Bedford.	Johnson
Hester.	of Dimmit.
James.	Winningham.

SENATE BILL NO. 3 ON PASSAGE
TO THIRD READING

The House resumed consideration of pending business, same being Senate Bill No. 3, providing for the creation of a conservation and reclamation district to be known as Lower Colorado River Authority, on its passage to third reading;

The bill having heretofore been read second time, with committee amendment as substituted by amendment by Mr. Graves and substitute by Mr. Kayton for the amendment by Mr. Graves, pending.

Question recurring on the amendment by Mr. Kayton, it was lost.

Question recurring on the committee amendment as substituted, it was adopted.

Mr. Engelhard offered the following committee amendment to the bill:

Amend Senate Bill No. 3, by elim-

inating Section 18 and substituting the following:

"Section 18. There is hereby appropriated for the use of the district out of any funds in the State Treasury, not otherwise appropriated, the sum of five thousand dollars (\$5,000), which may be withdrawn from time to time on warrant signed by the general manager and treasurer of the district. Such amount to be repaid into the State Treasury out of the first revenues derived from the sale of power, water, or other products thereof."

Mr. Vaughan offered the following substitute for the committee amendment:

Substitute for committee amendment No. 2 to Senate Bill No. 3 by striking out all of Section 18.

The substitute amendment was lost.

The committee amendment was then adopted.

Mr. Engelhard offered the following committee amendment to the bill:

Amend Senate Bill No. 3 by adding at the end of Section 2 the following: "It is hereby further specially and expressly provided herein that this Act shall not affect any of the water rights or the classification and uses thereof that are clearly defined in the legislative Acts of 1931."

Mr. Pope moved the previous question on the pending amendments, amendment on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost by the following vote:

Yeas—48

Alexander.	Kyle of Hays.
Atchison.	Lemens.
Baker.	Leonard.
Bergman.	Long.
Bourne.	Mackay.
Bradley.	McGregor.
Caven.	McKee.
Chastain.	Merritt.
Clayton.	Moffett.
Colson.	Nicholson.
Fuchs.	Pavlica.
Greathouse.	Pope.
Harris.	Ramsey.
Hartzog.	Renfro.
Head.	Roberts.
Hill.	Rogers
Hoskins.	of Ochiltree.
Jackson.	Rollins.
Jefferson.	Shannon.
Jones of Atascosa.	Shults.

Stanfield.
Steward.
Stubbeman.
Tarwater.
Tennyson.

Turlington.
Walker.
Weinert.
Young.

Nays—60

Aikin.	Laird.
Alsup.	Latham.
Barron.	Lindsey.
Beck.	Lotief.
Burns.	Magee.
Butler.	McCullough.
Canon.	Metcalf.
Crossley.	Mitcham.
Dean.	Moore.
Devall.	Morrison.
Dunagan.	Parkhouse.
Duvall.	Puryear.
Fain.	Ratliff.
Glass.	Ray.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Riddle.
Graves.	Roark.
Griffith.	Rogers of Hunt.
Hankamer.	Scarborough.
Harman.	Scott.
Hodges.	Stinson.
Holekamp.	Stovall.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hunter.	Van Zandt.
Jones of Runnels.	Vaughan.
Kayton.	Wagstaff.
Kyle of Palo Pinto.	Wood.

Absent

Adamson.	Holland.
Anderson.	Holloway.
Barrett.	Hyder.
Calvert.	Johnson
Cathey.	of Anderson.
Celaya.	Jones of Shelby.
Coombes.	Lange.
Cowley.	McDougald.
Daniel.	Morse.
Davidson.	Munson.
Dunlap.	Palmer.
Dwyer.	Patterson.
Engelhard.	Reader.
Fisher.	Russell.
Ford.	Savage.
Harrison.	Smith.
Hicks.	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

Mr. Dean offered the following substitute for the committee amendment:

Amend Senate Bill No. 3 by adding

a new section, to be known as Section No. 2-a, to read as follows:

"Section 2-a. It is now declared to be the public policy of this State that any and all rights of the corporation hereby created to impound and/or use and/or sell the water of the Colorado River for the generation of power shall be subordinate to the rights of cities and towns situated within the watershed of the Colorado River and its tributaries to build dams and impound flood waters for municipal purposes; and likewise, the said rights of the corporation hereby created to impound and/or use and/or sell said waters for the generation of power shall be subordinate to the rights of any citizen of Texas, private or corporate, to build dams and impound flood waters within the watershed of the Colorado River and its tributaries for domestic purposes and for the purpose of irrigation and the title to any and all rights, properties, licenses, franchises or permits acquired, or to be acquired, by the Colorado River Authority shall become vested in it subject to the limitations imposed by this section."

DEAN,
VAN ZANDT,
METCALFE,
WAGSTAFF.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Tennyson offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 3, by adding at the end of the first sentence of said section, the following: "provided, that not more than two of such directors shall be residents of the same county."

The amendment was adopted.

Mr. Engelhard offered the following amendment to the bill:

Amend Senate Bill No. 3, page 2, by inserting in line 36 thereof the following: "(or property already dedicated to public service)."

Mrs. Hughes and others offered the following substitute for the amendment by Mr. Engelhard:

Amend Senate Bill No. 3, Section 2, by striking out paragraph (f) and inserting in lieu thereof, the following:

"To acquire by condemnation any

and all property of any kind, real, personal, or mixed, or any interest therein within the boundaries of the district, other than such property or any interest therein as is owned or may hereafter be owned by any body politic, necessary to the exercise of the power, rights, privileges, and functions conferred upon it by this Act, and to acquire by condemnation outside the district such property as is necessary for transmission lines, for electric energy, and rights of way for canals, laterals, and pipe lines for the distribution and sale of water; and condemnation authorized hereunder shall be in the manner provided by general law with respect to condemnation or at the option of the district, in the manner provided by the statutes relative to condemnation by districts organized under general law pursuant to Section 59, of Article XVI, of the Constitution of the State of Texas."

METCALFE,
KAYTON,
HUGHES,
VAUGHAN.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Lindsey offered the following amendment to the bill:

Amend Subsection S, of Section 2, of Senate Bill No. 3, by adding the following paragraph at the end of Section 2, on page 6:

"Provided further that riparian owners along the Colorado River, or on any of its tributaries, shall have the preference right to take flood and storm waters of said Colorado River, or any of its tributaries, for the purposes set forth in Subdivisions 1, 2, and 3, of Article 7471, of the Revised Civil Statutes of the State of Texas, as amended by Chapter 128 of the Acts of the Forty-second Legislature of the State of Texas, without first having to obtain a permit from the Board of Water Engineers of the State of Texas, and which preference right shall never be superseded by any permit issued, or to be issued."

LINDSEY,
JONES of Runnels,
PURYEAR.

Mr. Kayton offered the following substitute for the amendment by Mr. Lindsey:

Substitute for amendment to Senate Bill No. 3, by adding at the end of Subsection S, the following: "provided further that the riparian rights of private owners to preserve flood waters on or over his own land for his own personal use for irrigation and domestic purposes shall always be superior to any rights of the district."

KAYTON,
METCALFE,
HUGHES,
VAUGHAN.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Van Zandt offered the following amendment to the bill:

Amend Senate Bill No. 3 by striking out the words "Board of Water Engineers of the State of Texas," in lines 18 and 19, on page 6, and inserting in lieu thereof the following: "the Commissioner of Agriculture of the State of Texas."

Mr. Metcalfe and Mrs. Hughes offered the following substitute for the amendment by Mr. Van Zandt:

Substitute Van Zandt amendment by striking out the word "Agriculture," and substitute the words "General Land Office."

HUGHES,
METCALFE.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Van Zandt offered the following amendment to the bill:

Amend Senate Bill No. 3 by substituting a comma for the period at the end of Section 8 on page 9 of the bill and adding to said Section 8 the following language: "provided that in no event shall the users of the services be required to pay rates which will yield more than a fair return upon the fair value of the property used and useful in rendering the service."

The amendment was adopted.

Mr. Van Zandt offered the following amendment to the bill:

Amend Senate Bill No. 3 by placing a comma after the last word in Section 12 on page 13, and adding to said Section 12 the following language: "provided, however, that any agreement or covenant shall be void

which might in any contingency result in depriving the State of Texas or its governmental agencies of the absolute control and administration of said district and its properties."

The amendment was adopted.

Mr. Van Zandt offered the following amendment to the bill:

Amend Senate Bill No. 3 by adding a new paragraph just after item (c) in Section 8, said new paragraph to be lettered (d), which shall read as follows:

"(d) The schedule of rates and charges for the various services and commodities to be sold and/or furnished by the district shall be arranged so as to require each class of users to pay the cost of the service or commodity which they purchase from the district, including a reasonable and equitable allocation of fixed charges."

Mr. Butler moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion for the main question was lost by the following vote:

Yeas—53

Alexander.	Long.
Atchison.	Mackay.
Baker.	McGregor.
Bergman.	McKee.
Bourne.	Moffett.
Bradley.	Morse.
Butler.	Nicholson.
Calvert.	Pavlica.
Chastain.	Pope.
Clayton.	Roberts.
Devall.	Rogers
Dunlap.	of Ochiltree.
Fain.	Rollins.
Fuchs.	Shannon.
Greathouse.	Shults.
Griffith.	Stanfield.
Harris.	Steward.
Hicks.	Stubbeman.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Jackson.	Tillery.
Jefferson.	Townsend.
Jones of Atascosa.	Turlington.
Kyle of Hays.	Walker.
Latham.	Weinert.
Lemens.	Young.

Nays—55

Adamson.	Aikin.
----------	--------

Alsop.	Lange.
Barrett.	Leonard.
Barron.	Lindsey.
Beck.	Lotief.
Burns.	Magee.
Canon.	McCullough.
Colson.	Merritt.
Crossley.	Metcalfe.
Dean.	Morrison.
Dunagan.	Parkhouse.
Duvall.	Patterson.
Glass.	Puryear.
Golson.	Ratliff.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas.
Graves.	Riddle.
Hankamer.	Roark.
Harman.	Rogers of Hunt.
Hill.	Scarborough.
Hodges.	Scott.
Hughes.	Stinson.
Hunt.	Stovall.
Hunter.	Van Zandt.
Jones of Runnels.	Vaughan.
Kayton.	Wagstaff.
Kyle of Palo Pinto.	Wood.
Laird.	

Absent

Anderson.	Hyder.
Cathey.	Johnson
Caven.	of Anderson.
Celaya.	Jones of Shelby.
Coombes.	McDougald.
Cowley.	Mitcham.
Daniel.	Moore.
Davidson.	Munson.
Dwyer.	Palmer.
Engelhard.	Ramsey.
Fisher.	Ray.
Ford.	Reader.
Harrison.	Renfro.
Hartzog.	Russell.
Head.	Savage.
Holloway.	Smith.
Huddleston.	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

Question recurring on the amendment by Mr. Van Zandt, it was lost.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, by striking out paragraph (B) and inserting in lieu thereof the following: "to develop and generate water power and electric energy within the boundaries of the district and to distribute and sell water power, and

electric energy within and without the boundaries of the district."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

The amendment was adopted.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, by striking out paragraph (g) and inserting in lieu thereof the following: "from time to time to sell surplus personal property which shall not be necessary to the carrying on of the business of the district as limited in this Act."

KAYTON,
HUGHES,
METCALFE.

The amendment was adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, by adding at the end of paragraph (p) the following: "provided, however, that this Act shall not authorize the sale of any of the property of the district under any judgment rendered in any suit; and this Act hereby specifically prohibits the sale of any of the property of the district under any judgment rendered in any suit against said district."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

The amendment was adopted.

Mr. Kayton, Mrs. Hughes, and others offered the following amendment to the bill:

Amend Senate Bill No. 3, line 29, Section M, to read as follows: "to appoint officers, agents, and employes; to prescribe their duties, and fix their compensation in line with the salaries and compensations now being paid by the various departments of the State of Texas for like and similar services. No salaries shall exceed six thousand dollars (\$6,000) per year. The Attorney General of the State of Texas shall be the general counsel of the district, and is empowered to appoint one as Assistant Attorney General who shall receive the average compensation paid Assistant Attorney Generals, provided, however, that the salaries of this particular Assistant Attorney General

shall be paid out of the funds of the district."

KAYTON,
METCALFE,
HUGHES,
VAUGHAN.

Mr. Kayton offered the following amendment to the amendment:

Amend amendment to permit paying the resident engineer a salary not to exceed \$10,000 per year.

Mr. Scott moved to table the amendment by Mr. Kayton.

The motion to table prevailed.

Mr. Alsup moved the previous question on the pending amendments and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 56; nays, 58.

Mr. Scott and Mr. Parkhouse called for a verification of the vote.

The roll of the yeas and nays was called and the verified vote announced as follows:

Yeas—54

Alexander.	Latham.
Alsup.	Lemens.
Atchison.	Lindsey.
Baker.	Long.
Bergman.	Mackay.
Bourne.	McGregor.
Bradley.	McKee.
Burns.	Moffett.
Butler.	Morse.
Chastain.	Nicholson.
Clayton.	Pavlica.
Colson.	Pope.
Daniel.	Ray.
Devall.	Roberts.
Fuchs.	Rogers.
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Harris.	Shannon.
Hicks.	Shults.
Hill.	Stanfield.
Holekamp.	Steward.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Townsend.
Jackson.	Turlington.
Jefferson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Shelby.	

Nays—58

Adamson.	Barrett.
Aikin.	Barron.

Beck.	Magee.
Calvert.	Merritt.
Canon.	Metcalfe.
Caven.	Moore.
Crossley.	Morrison.
Dean.	Parkhouse.
Dunlap.	Patterson.
Dunagan.	Puryear.
Duvall.	Ratliff.
Fain.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Goodman.	Roark.
Hankamer.	Rogers of Hunt.
Harman.	Scarborough.
Hodges.	Scott.
Hughes.	Stinson.
Hunt.	Stovall.
Hunter.	Stubbeman.
Jones of Runnels.	Thomas.
Kayton.	Tillery.
Kyle of Palo Pinto.	Van Zandt.
Laird.	Vaughan.
Lange.	Wagstaff.
Leonard.	Wood.
Lotief.	Young.

Absent

Anderson.	Hyder.
Cathey.	Johnson
Celaya.	of Anderson.
Coombes.	Kyle of Hays.
Cowley.	McCullough.
Davidson.	McDougald.
Dwyer.	Mitcham.
Engelhard.	Munson.
Fisher.	Palmer.
Ford.	Ramsey.
Graves.	Reader.
Harrison.	Russell.
Hartzog.	Savage.
Head.	Smith.
Holloway.	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

The Speaker announced that the motion for the main question was lost.

Question recurring on the amendment by Mrs. Hughes, it was adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, by adding at the end of paragraph (c), the following: "As hereinafter specifically provided, nothing in this Act shall authorize the issuance of any bonds, notes, or other negotiable instruments of indebtedness of the district, except

as herein specifically provided, and no issuance of bonds, notes, or other negotiable instruments of indebtedness of the district, except as herein specifically provided, shall ever be authorized except by special Act of the Legislature."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

The amendment was adopted.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, Subsection P, by adding after the word "require," the following: "Provided, however, that no agreement shall be valid which might result in depriving the State of Texas of title or control of the district and/or its projects."

KAYTON,
METCALFE,
HUGHES,
VAUGHAN.

The amendment was adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, subparagraph (q), by adding the following after the word "bonds": "not to exceed the principal sum of ten million dollars (\$10,000,000), which bonds shall only be secured by the revenues derived from the sales of the services of the district. Any additional amount of bonds for the proper completion and operation must be authorized by a special Act of the Legislature."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

Mr. Reed of Bowie moved that the House adjourn until 10 o'clock a. m., next Monday.

The motion was lost by the following vote:

Yeas—27

Adamson.	Greathouse.
Alsup.	Griffith.
Burns.	Hunter.
Caven.	Lotief.
Crossley.	Merritt.
Dunagan.	Parkhouse.
Duvall.	Patterson.
Ford.	Puryear.
Good.	Reed of Bowie.

Roberts.
Scarborough.
Scott.
Shannon.
Tarwater.

Tillery.
Van Zandt.
Vaughan.
Wood.

Reader.
Russell.
Savage.
Smith.

Stanfield.
Wagstaff.
Wells.

Absent—Excused

Nays—81

Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Atchison.	Lange.
Baker.	Latham.
Barron.	Lemens.
Beck.	Leonard.
Bourne.	Lindsey.
Bradley.	Long.
Butler.	Mackay.
Canon.	Magee.
Chastain.	McGregor.
Clayton.	McKee.
Colson.	Moffett.
Daniel.	Moore.
Dean.	Morse.
Dunlap.	Morrison.
Engelhard.	Nicholson.
Fain.	Pavlica.
Fuchs.	Pope.
Glass.	Ratliff.
Golson.	Ray.
Goodman.	Reed of Dallas.
Graves.	Renfro.
Hankamer.	Riddle.
Harman.	Roark.
Harris.	Rogers of Hunt.
Hartzog.	Rogers of Ochiltree.
Head.	
Hicks.	Rollins.
Hill.	Shults.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Hoskins.	Stubbeman.
Hughes.	Tennyson.
Hunt.	Thomas.
Jackson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Young.

Present—Not Voting

Bergman.

Absent

Anderson.	Huddleston.
Barrett.	Hyder.
Calvert.	Jefferson.
Cathey.	Johnson
Celaya.	of Anderson.
Coombes.	Laird.
Cowley.	McCullough.
Davidson.	McDougald.
Devall.	Metcalfe.
Dwyer.	Mitcham.
Fisher.	Munson.
Harrison.	Palmer.
Holloway.	Ramsey.

Bedford.
Camp.
Hester.
James.

Johnson
of Dimmit.
Mathis.
Winningham.

Mr. Kyle of Palo Pinto moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion for the main question prevailed by the following vote:

Yeas—63

Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Atchison.	Latham.
Baker.	Lemens.
Barron.	Leonard.
Bergman.	Lindsey.
Bradley.	Long.
Bourne.	Mackay.
Butler.	Magee.
Chastain.	McGregor.
Clayton.	McKee.
Colson.	Moffett.
Engelhard.	Morse.
Fuchs.	Pavlica.
Golson.	Pope.
Goodman.	Ray.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rogers
Harman.	of Ochiltree.
Harris.	Rollins.
Hartzog.	Shannon.
Head.	Steward.
Hill.	Stinson.
Holekamp.	Stovall.
Holland.	Tennyson.
Hoskins.	Thomas.
Hunt.	Townsend.
Jackson.	Turlington.
Jefferson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Shelby.	Young.

Nays—50

Adamson.	Dean.
Aikin.	Dunlap.
Barrett.	Dunagan.
Beck.	Duval.
Burns.	Fain.
Canon.	Ford.
Caven.	Glass.
Crossley.	Good.
Daniel.	Hankamer.

Hicks.	Ratliff.
Hodges.	Reed of Bowie.
Hughes.	Reed of Dallas.
Hunter.	Renfro.
Jones of Runnels.	Riddle.
Kayton.	Roark.
Lange.	Scarborough.
Lotief.	Scott.
Merritt.	Shults.
Metcalfe.	Stubbeman.
Moore.	Tarwater.
Morrison.	Tillery.
Nicholson.	Van Zandt.
Parkhouse.	Vaughan.
Patterson.	Wagstaff.
Puryear.	Wood.

Absent

Anderson.	Johnson
Calvert.	of Anderson.
Cathey.	Laird.
Celaya.	McCullough.
Coombes.	McDougald.
Cowley.	Mitcham.
Davidson.	Munson.
Devall.	Palmer.
Dwyer.	Ramsey.
Fisher.	Reader.
Harrison.	Russell.
Holloway.	Savage.
Huddleston.	Smith.
Hyder.	Stanfield.
	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

Question recurring on the amendment by Mrs. Hughes, it was adopted.

Mr. Metcalfe offered the following amendment to the bill:

Amend Senate Bill No. 3, by adding after Section 2, a new paragraph, reading as follows:

"Nothing in this Act shall be construed as in any way confirming or validating any permits or grants of the flood waters of this State heretofore made covering appropriations of flood waters of the Colorado River or its tributaries within the confines of the district herein created."

METCALFE,
KAYTON,
HUGHES,
VAUGHAN.

Mr. Wagstaff offered the following substitute amendment for the amendment by Mr. Metcalfe:

Amend Senate Bill No. 3 by substituting for Hughes amendment:

"Nothing in this Act shall be construed as in any way confirming or validating any permits or grants of the flood waters of this State heretofore covering appropriations of flood waters of the Colorado River or its tributaries within or without the confines of the district herein created."

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Kayton offered the following amendments to the bill:

(1)

Amend Senate Bill No. 3, Section 4, line 24, by inserting after the word "officers," the following: "subject to the limitations as set forth in subsection M of Section 2."

(2)

Amend Senate Bill No. 3, Section 6, line 8, and line 18, by striking out the word "reasonable."

KAYTON,
METCALFE,
HUGHES.

The amendments were severally adopted.

Mrs. Hughes offered the following amendments to the bill:

(1)

Amend Senate Bill No. 3, Section 10, by striking out paragraph "d," and inserting in lieu thereof, "the district shall fail or refuse to complete the Buchanan Dam and the power plant provided for herein."

(2)

Amend Senate Bill No. 3, Section 7, line 13, by striking out all after the word "guilty," and inserting in lieu thereof the following: "of a felony and on conviction thereof shall be subect to a fine in an amount not to exceed ten thousand dollars (\$10,000), or to confinement in the penitentiary for not less than one (1) year nor more than ten (10) years, or both."

(3)

Amend Senate Bill No. 3, Section 10, by striking out the first sentence, and inserting in lieu thereof the following:

"The district shall have power and is hereby authorized to issue ten million dollars (\$10,000,000) of bonds and no more, unless expressly authorized by the Legislature. Said bonds shall be issued and sold for the purpose of acquiring the property known as Buchanan Dam, and the water rights appurtenant thereto, and to paying off the liens against same, completing the construction of the project known as the Buchanan Dam project, and the construction of the necessary hydro-electric plant equipment and transmission lines, for paying interest on outstanding bonds held by the Federal Government on any of its agencies or its assignees, and for no other purposes."

HUGHES,
METCALFE,
KAYTON,
VAUGHAN.

The amendments were severally adopted.

Mr. Wagstaff raised a point of order on further consideration of the bill at this time, on the ground that the Seventy-two-Hour Rule is now in effect, and that Senate Bill No. 3 cannot be considered without the suspension of the rule.

The Speaker overruled the point of order.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 12, page 12, line 28, by adding a new sentence after the word "consequences," as follows: "Provided, however, that the bonds issued in payment of property or rights shall not be held to be in default as to interest or principal until such time as the project herein provided for is sufficient that revenues may be anticipated."

HUGHES,
METCALFE,
VAUGHAN,

The amendment was adopted.

Mrs. Hughes offered the following amendments to the bill:

(1)

Amend Senate Bill No. 3, Section 10, page 4, line 10, by striking out "for the period if any prescribed by said resolution in respect thereof," and insert in lieu thereof "six months."

(2)

Amend Senate Bill No. 3, Section 10, page 12, line 28, by striking out the sentence beginning "In any such suit," and inserting in lieu thereof the following:

"In any such suit the court may, upon a hearing, if in its judgment it is necessary, and for the best interest of the bondholders and the State of Texas, appoint a receiver for said district, and the order of the court shall set out the duties and the powers of the receiver in respect to the properties of the district and the revenues therefrom."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

The amendments were severally adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 10, page 13, line 6, by inserting after the word "bonds" the following: "it is expressly understood, however, that any change in rates fixed by the receiver must meet with the approval of at least five (5) members of the board of directors of the district."

KAYTON,
METCALFE,
HUGHES,
VAUGHAN.

The amendment was adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 10, by adding at the end thereof the following:

"Provided that the indebtedness to the United States of America, and the bonds issued to secure said indebtedness, shall be a first charge on all the revenues of the district remaining after the payment of operating and maintenance expenses; and provided further that none of the bonds issued to secure any indebtedness to the United States of America or any of its agencies shall ever be transferred to a public utility or to any person who is a director or officer of any public utility, or who is directly or indirectly interested in any public utility; and provided further that a receiver can never be appointed by the holders of bonds issued for the purchase of property until after the payment to the United States of America or any

of its agencies of the indebtedness due it or its agencies."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—71

Adamson.	Lange.
Aikin.	Lemens.
Alexander.	Lindsey.
Alsup.	Lotief.
Atchison.	Magee.
Barrett.	Merritt.
Barron.	Metcalfe.
Beck.	Moffett.
Bourne.	Moore.
Bradley.	Morrison.
Burns.	Nicholson.
Calvert.	Parkhouse.
Canon.	Patterson.
Caven.	Puryear.
Colson.	Ratliff.
Crossley.	Ray.
Daniel.	Reed of Bowie.
Dean.	Reed of Dallas.
Dunagan.	Roark.
Fain.	Roberts.
Good.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hartzog.	Rollins.
Hicks.	Scarborough.
Hodges.	Scott.
Holland.	Shults.
Hoskins.	Steward.
Hughes.	Stinson.
Hunt.	Stubbeman.
Hunter.	Van Zandt.
Jones of Atascosa.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Laird.	Wood.

Nays—33

Baker.	Jackson.
Bergman.	Kyle of Hays.
Butler.	Kyle of Palo Pinto.
Chastain.	Leonard.
Clayton.	Long.
Engelhard.	Mackay.
Fuchs.	McGregor.
Glass.	Pavlica.
Golson.	Pope.
Goodman.	Renfro.
Graves.	Riddle.
Hankamer.	Shannon.
Harman.	Stovall.
Head.	Thomas.
Holekamp.	Tillery.

Townsend.
Turlington.

Young.

Absent

Anderson.	Johnson
Cathey.	of Anderson.
Celaya.	Latham.
Coombes.	McCullough.
Cowley.	McDougald.
Davidson.	McKee.
Devall.	Mitcham.
Dunlap.	Morse.
Duvall.	Munson.
Dwyer.	Palmer.
Fisher.	Ramsey.
Ford.	Reader.
Harris.	Russell.
Harrison.	Savage.
Hill.	Smith.
Holloway.	Stanfield.
Huddleston.	Tarwater.
Hyder.	Tennyson.
Jefferson.	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

Mrs. Hughes offered the following amendments to the bill:

(1)

Amend Senate Bill No. 3, Section 10-a, by striking out the last words of the last sentence which reads as follows: "except the property described in Subsection G, of Section 2, hereof."

(2)

Amend Senate Bill No. 3 by striking out all of Section 14, and inserting in lieu thereof, the following:

"Nothing in this Act shall be construed as authorizing the district to mortgage or sell any of its property of any kind, real, personal, or mixed, and the district is hereby specifically prohibited from ever encumbering or selling any of its property of any kind, real, personal, or mixed, except as this Legislature may hereafter authorize by special act, and provided that this shall not apply to surplus property in amounts less than \$50,000, which may be sold for cash by an affirmative vote of six of the members of the board of directors."

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

The amendments were severally adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate Bill No. 3 by striking out Section 15.

HUGHES,
KAYTON,
METCALFE,
VAUGHAN.

The amendment was adopted.

Mr. Hartzog offered the following amendment to the bill:

Amend Senate Bill No. 3 by adding a new paragraph at the end of Section 2, to read as follows:

"Provided further that the lakes and waters, impounded by these dams and all dams hereafter to be built, shall be open to the public and no charge shall ever be made for the privilege of fishing, swimming, boating thereon.

"Provided further that all public roads and highways now crossing such lake beds shall forever remain open at the points where they meet the water level so as to always give free access to the public."

The amendment was adopted.

Mr. Hill offered the following amendment to the bill:

Amend Senate Bill No. 3, Section 2, Subsection (s), by striking out the words "any purpose," in line 40, and insert in lieu thereof the words "such purposes."

HILL,
COLSON.

The amendment was adopted.

Mr. Barron offered the following amendment to the bill:

Amend Senate Bill No. 3 by adding after line 55, on page 4, after the word "board," the following: "It is further provided that any person appointed as an officer, agent, or attorney, of the district shall not be eligible to hold any such employment or appointment in the event such director, officer, or attorney, has, during the preceeding five (5) years before his appointment or employment been employed by any electric power and light company, gas company, telephone company, or any other utility company of any kind or character whatsoever; provided further that all persons appointed or employed as director, officer, or attorney of the district as a prerequisite to their appointment or employment

shall take and subscribe to an oath and make affidavit that they have not during the preceding five (5) years been employed in any capacity by any of the classes or kinds of utility companies herein referred to and that they have not received any monies from such character of employment, and such affidavits shall be filed with the Secretary of State of the State of Texas by all such persons appointed or employed, and said affidavits shall be open to public inspection at all times."

BARRON,
WEINERT,
LOTIEF.

The amendment was adopted.

Mr. Wagstaff offered the following amendment to the bill:

Amend Senate Bill No. 3 by striking out on page 3 of the printed bill, all of lines 4, 5, 6, 7, and all of line 8 down to and including the word "Texas."

The amendment was lost by the following vote:

Yeas—35

Adamson.	Metcalf.
Aikin.	Morrison.
Alsup.	Nicholson.
Beck.	Parkhouse.
Clayton.	Ratliff.
Crossley.	Reed of Bowie.
Daniel.	Reed of Dallas.
Dean.	Roark.
Dunagan.	Rogers
Good.	of Ochiltree.
Hankamer.	Scarborough.
Holland.	Scott.
Hunt.	Steward.
Hunter.	Stubbeman.
Jones of Shelby.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Lemens.	Wagstaff.
Merritt.	Wood.

Nays—68

Alexander.	Fain.
Atchison.	Ford.
Baker.	Fuchs.
Barrett.	Glass.
Barron.	Golson.
Bergman.	Goodman.
Bourne.	Graves.
Bradley.	Greathouse.
Burns.	Griffith.
Butler.	Harris.
Canon.	Head.
Caven.	Hicks.
Chastain.	Hodges.
Engelhard.	Holekamp.

Holloway.	Pavlica.
Hoskins.	Pope.
Jackson.	Puryear.
Jones of Atascosa.	Ray.
Jones of Runnels.	Renfro.
Kayton.	Riddle.
Kyle of Hays.	Roberts.
Laird.	Rogers of Hunt.
Lange.	Rollins.
Latham.	Shannon.
Leonard.	Shults.
Lindsey.	Stinson.
Long.	Stovall.
Lotief.	Tarwater.
Mackay.	Tennyson.
Magee.	Thomas.
McGregor.	Turlington.
Moffett.	Walker.
Morse.	Weinert.
Patterson.	Young.

Present—Not Voting

Calvert.	Devall.
----------	---------

Absent

Anderson.	Johnson
Cathey.	of Anderson.
Celaya.	McCullough.
Colson.	McDougald.
Coombes.	McKee.
Cowley.	Mitcham.
Davidson.	Moore.
Duvall.	Munson.
Dunlap.	Palmer.
Dwyer.	Ramsey.
Fisher.	Reader.
Harman.	Russell.
Harrison.	Savage.
Hartzog.	Smith.
Hill.	Stanfield.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Wells.
Jefferson.	

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

Mr. Wagstaff offered the following amendment to the bill:

Amend Senate Bill No. 3 by striking out on line 37, page 4, of the printed bill, the words "or any other Act or law."

The amendment was lost.

Mr. Wagstaff offered the following amendment to the bill:

Amend Senate Bill No. 3 by adding at the end of line 13, page 7, the following: "comma, and ratified by resolution passed by both Houses of

the Legislature and signed by the Governor."

The amendment was lost.

Mr. Parkhouse offered the following amendment to the bill:

Amend Senate Bill No. 3 by adding between lines 38 and 39, of page 6, of the printed bill, the following: "each director shall be confirmed by a two-thirds vote of the Senate."

The amendment was adopted.

Mr. Lindsey offered the following amendment to the bill:

Amend Senate Bill No. 3, Subsection (s), by inserting at end of Kayton amendment, the following: "without first having to obtain a permit from the State of Texas for the exercise of such rights."

The amendment was adopted.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 3 by adding so that it will read as follows:

"Section 5-a. It is provided that the funds which have been allotted to the Colorado River project by the Emergency Administration of Public Works of the United States of America and which may be received out of said allotment by the district herein created under the terms of this Act shall only be used for the purpose of acquiring necessary lands, paying off already acquired and established liens, excluding any lien to any holders of bonds now issued or outstanding the payment of costs of relocating roads, bridges and highways; removal of cemetery; paying interest on outstanding bonds to P. W. A. and the costs necessarily incident to the completion of the partially constructed dam, powerhouse, and necessary appurtenances thereto (including supervisory and administrative costs of the district), which dam has heretofore been known as 'Hamilton Dam,' now known as Buchanan Dam, and is located within said district on the Colorado River between Burnet and Llano Counties; provided, however, that at all times a sufficient sum of money shall be retained from the loan of \$4,500,000 obtained from the P. W. A. to insure the completion of the construction of the dam at Hamilton; and said fund shall not be used for the purchase of lands, or payment of liens, so far as to impair the ability

of the district to complete said dam out of the \$4,500,000 loan."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

Senate Bill No. 3 was then passed to third reading by the following vote:

Yeas—96

Adamson.	Laird.
Alexander.	Latham.
Atchison.	Lemens.
Baker.	Leonard.
Barrett.	Lindsey.
Barron.	Long.
Bergman.	Lotief.
Bourne.	Mackay.
Bradley.	Magee.
Burns.	McGregor.
Butler.	McKee.
Canon.	Merritt.
Caven.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Dean.	Patterson.
Dunlap.	Pavlica.
Dunagan.	Pope.
Duvall.	Puryear.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roark.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Shannon.
Harman.	Shults.
Harris.	Stanfield.
Head.	Steward.
Hicks.	Stinson.
Hill.	Stovall.
Hodges.	Stubbeman.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Hughes.	Townsend.
Hunt.	Turlington.
Jackson.	Van Zandt.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Wood.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

Nays—10

Aikin.	Hunter.
Alsup.	Metcalfe.
Good.	Parkhouse.

Ratliff.
Roberts.

Vaughan.
Wagstaff.

Absent

Anderson.	Johnson
Beck.	of Anderson.
Calvert.	Jones of Atascosa.
Cathey.	Lange.
Celaya.	McCullough.
Colson.	McDougald.
Coombes.	Mitcham.
Cowley.	Munson.
Davidson.	Palmer.
Devall.	Ramsey.
Dwyer.	Reader.
Fisher.	Russell.
Harrison.	Savage.
Hartzog.	Scarborough.
Holloway.	Scott.
Huddleston.	Smith.
Hyder.	Tillery.
Jefferson.	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

SENATE BILL NO. 3 ON THIRD READING

Mr. Graves moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94

Adamson.	Glass.
Aikin.	Golson.
Alexander.	Goodman.
Atchison.	Greathouse.
Baker.	Griffith.
Barrett.	Hankamer.
Barron.	Harman.
Bergman.	Harris.
Bourne.	Hartzog.
Bradley.	Head.
Burns.	Hicks.
Butler.	Hill.
Canon.	Hodges.
Caven.	Holekamp.
Chastain.	Holland.
Clayton.	Hoskins.
Daniel.	Hughes.
Dean.	Hunt.
Dunlap.	Jackson.
Dunagan.	Jones of Atascosa.
Engelhard.	Jones of Runnels.
Fain.	Jones of Shelby.
Ford.	Kayton.
Fuchs.	Kyle of Hays.

Kyle of Palo Pinto.	Reed of Dallas.
Laird.	Renfro.
Lange.	Riddle.
Latham.	Roark.
Leonard.	Rogers of Hunt.
Lindsey.	Rogers
Long.	of Ochiltree.
Lotief.	Rollins.
Mackay.	Shannon.
Magee.	Shults.
McGregor.	Steward.
McKee.	Stinson.
Merritt.	Stovall.
Metcalfe.	Stubbeman.
Moffett.	Tarwater.
Morrison.	Tennyson.
Morse.	Thomas.
Patterson.	Townsend.
Pavlica.	Van Zandt.
Pope.	Walker.
Puryear.	Weinert.
Ratliff.	Wood.
Ray.	Young.
Reed of Bowie.	

Nays—9

Alsup.	Roberts.
Crossley.	Scott.
Good.	Vaughan.
Hunter.	Wagstaff.
Parkhouse.	

Absent

Anderson.	Johnson
Beck.	of Anderson.
Calvert.	Lemens.
Cathey.	McCullough.
Celaya.	McDougald.
Colson.	Mitcham.
Coombes.	Moore.
Cowley.	Munson.
Davidson.	Nicholson.
Devall.	Palmer.
Duvall.	Ramsey.
Dwyer.	Reader.
Fisher.	Russell.
Graves.	Savage.
Harrison.	Scarborough.
Holloway.	Smith.
Huddleston.	Stanfield.
Hyder.	Tillery.
Jefferson.	Turlington.
	Wells.

Absent—Excused

Bedford.	Johnson
Camp.	of Dimmit.
Hester.	Mathis.
James.	Winningham.

The Speaker then laid Senate Bill No. 3 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—95

Adamson.	Laird.
Alexander.	Latham.
Atchison.	Lemens.
Baker.	Leonard.
Barrett.	Lindsey.
Barron.	Long.
Bergman.	Lotief.
Bourne.	Mackay.
Bradley.	Magee.
Burns.	McGregor.
Butler.	McKee.
Canon.	Moffett.
Caven.	Moore.
Chastain.	Morrison.
Clayton.	Morse.
Daniel.	Nicholson.
Dean.	Patterson.
Dunlap.	Pavlica.
Dunagan.	Pope.
Engelhard.	Puryear.
Fain.	Ray.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Goodman.	Roark.
Graves.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Shannon.
Harris.	Shults.
Hartzog.	Stanfield.
Head.	Steward.
Hicks.	Stinson.
Hodges.	Stovall.
Holekamp.	Stubbeman.
Holland.	Tarwater.
Hoskins.	Tennyson.
Hughes.	Thomas.
Hunt.	Tillery.
Jackson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

Nays—14

Aikin.	Parkhouse.
Alsup.	Ratliff.
Crossley.	Roberts.
Good.	Scarborough.
Hunter.	Scott.
Merritt.	Vaughan.
Metcalfe.	Wagstaff.

Absent

Anderson.	Celaya.
Beck.	Colson.
Calvert.	Coombes.
Cathey.	Cowley.

Davidson.
Devall.
Duvall.
Dwyer.
Fisher.
Harrison.
Hill.
Holloway.
Huddleston.
Hyder.
Jefferson.
Johnson
of Anderson.

Lange.
McCullough.
McDougald.
Mitcham.
Munson.
Palmer.
Ramsey.
Reader.
Russell.
Savage.
Smith.
Wells.

Absent—Excused

Bedford.
Camp.
Hester.
James.

Johnson
of Dimmit.
Mathis.
Winningham.

MOTION TO TAKE UP HOUSE BILL NO. 74

Mr. Moore moved that the regular order of business be suspended to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 74, A bill to be entitled "An Act further prescribing the powers and duties of the Railroad Commission of Texas in respect to the conservation of oil and gas and the regulation of the production, storage, transportation, sale and handling thereof; amending Section 14, of Chapter 26, of the Acts of the First Called Session of the Forty-second Legislature; prohibiting the purchase, transportation, sale, or handling of crude petroleum oil or natural gas produced in violation of any statute or any rule, regulation, or order of the Railroad Commission; etc., and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—57

Alexander.
Atchison.
Baker.
Barrett.
Bergman.
Bradley.
Butler.
Caven.
Chastain.
Daniel.
Dean.
Fain.
Ford.
Fuchs.
Goodman.

Graves.
Griffith.
Harris.
Head.
Hughes.
Jackson.
Jones of Atascosa.
Jones of Runnels.
Kyle of Hays.
Lange.
Latham.
Lemens.
Lindsey.
Long.
Mackay.

Magee.
McGregor.
Metcalf.
Moffett.
Moore.
Morse.
Nicholson.
Pavlica.
Pope.
Ratliff.
Reed of Dallas.
Roark.
Roberts.
Rogers
of Ochiltree.

Rollins.
Steward.
Stinson.
Stovall.
Tarwater.
Tennyson.
Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Weinert.
Young.

Nays—42

Adamson.
Aikin.
Alsup.
Bourne.
Burns.
Canon.
Clayton.
Crossley.
Dunlap.
Dunagan.
Duvall.
Glass.
Golson.
Good.
Greathouse.
Hankamer.
Hicks.
Hodges.
Holland.
Hoskins.
Hunt.

Hunter.
Jones of Shelby.
Kyle of Palo Pinto.
Laird.
Lotief.
Parkhouse.
Puryear.
Ray.
Reed of Bowie.
Renfro.
Riddle.
Rogers of Hunt.
Scarborough.
Scott.
Shannon.
Shults.
Stubbeman.
Thomas.
Tillery.
Townsend.
Wood.

Absent

Anderson.
Barron.
Beck.
Calvert.
Cathey.
Celaya.
Colson.
Coombes.
Cowley.
Davidson.
Devall.
Dwyer.
Engelhard.
Fisher.
Harman.
Harrison.
Hartzog.
Hill.
Holekamp.
Holloway.
Huddleston.
Hyder.

Jefferson.
Johnson
of Anderson.
Kayton.
Leonard.
McCullough.
McDougald.
McKee.
Merritt.
Mitcham.
Morrison.
Munson.
Palmer.
Patterson.
Ramsey.
Reader.
Russell.
Savage.
Smith.
Stanfield.
Wells.

Absent—Excused

Bedford.
Camp.

Hester.
James.
Johnson
of Dimmit.

Mathis.
Winningham.

ADJOURNMENT

On motion of Mr. Duvall, the House, at 5:50 o'clock p. m., adjourned until 9 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Municipal and Private Corporations: Senate Bill No. 20.

Game and Fisheries: Senate Bills Nos. 14 and 31.

Appropriations: House Bill No. 110.

Public Lands and Buildings: House Bill No. 105.

Conservation and Reclamation: Senate Bill No. 29.

Public Health: Senate Bill No. 18.

Counties: House Bill No. 103.

Appropriations: House Bill No. 107.

State Affairs: House Bills Nos. 108 and 109.

Public Lands and Buildings: Senate Bill No. 25.

Counties: House Bill No. 97.

State Affairs: House Bills Nos. 95, and 96.

Judicial Districts: Senate Bill No. 22; House Bill No. 99.

Conservation and Reclamation: House Bills Nos. 100 and 104.

Judiciary: Senate Bills Nos. 6, 7, and 8.

State Affairs: Senate Bill No. 11.

Public Lands and Buildings: House Bill No. 102.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, September 22, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 30, "An Act authorizing cities containing a junior college within their corporate limits, to es-

tablish community centers consisting of all land and buildings or structures necessary therefor, including gymnasiums, auditoriums, natatoriums, and dormitories to furnish residence to teachers and students attending schools and colleges in any such city; authorizing such cities to issue bonds or notes to purchase, construct or improve the properties and facilities comprising such community centers and to mortgage and encumber all such properties and facilities, the income therefrom, and everything pertaining thereto, to secure payment of such bonds or notes; providing that the gymnasium, auditorium, natatorium, and dormitory may be included in one or more buildings or structures, within the discretion of the governing body of such city; authorizing such cities to borrow money on the security of the properties and facilities comprising such community centers, and the income therefrom, and everything pertaining thereto, acquired or to be acquired, for the purpose of paying the purchase price and/or construction cost, and to issue bonds or notes to evidence the money so borrowed, which bonds or notes shall have the characteristics of negotiable instruments under the law merchant, maturing not to exceed thirty (30) years from date and bearing interest at a rate of not to exceed five per cent (5%); providing that nothing herein shall be construed as in any way repealing House Bill No. 312, Chapter 163, page 209, General Laws of the Forty-second Legislature, and the provisions of said law shall apply; providing that every contract, bond, or note executed or issued hereunder shall contain a clause to the effect that the holder thereof shall never have the right to demand payment out of any funds raised or to be raised by taxation; providing that where bonds are issued hereunder they may be approved by the Attorney General and registered by the State Comptroller; providing that no contract, bond, note, or any evidence of obligation created hereunder shall ever be a debt of such city, but solely a charge upon the properties so encumbered, and shall never be reckoned in determining the power of such city to issue bonds for any purpose authorized by law; providing that the management and control of any such property and facilities so encumbered during the time they are encumbered shall be in the governing body of such

city; authorizing the governing body of such city by ordinance to make rules and regulations in respect of the maintenance and operation of such community center; providing that the expense of operation and maintenance of such properties and facilities so encumbered shall always be a first lien and charge against the income and revenue therefrom, prior and superior to the lien of any such encumbrance; authorizing the governing body of any such city to charge and collect dues, fees, rates, rentals, or charges in amounts sufficient to pay for all operation and maintenance charges and for interest and sinking fund sufficient to pay bonds or notes issued to purchase, construct or improve such properties and facilities; providing that no part of the income of any such community center shall ever be used to pay any debt, expense, or obligation of the municipal government of such city; authorizing the

issuance of additional bonds or notes for alteration, repair, or maintenance of such properties and providing that the same shall be subordinate to any indebtedness then outstanding; requiring the city to keep separate books of records and accounts of all transactions relating to such community centers and to furnish information to holders of such bonds or notes; providing that no encumbrance shall be foreclosed because of default until said default has existed for ninety (90) days and notice thereof has been served upon the governing body of such city; providing for a trustee to enforce foreclosure and for a franchise to operate the properties and facilities; enacting provisions incident and relating to the subject and purpose hereof, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

In Memory of
Hon. J. Nathan Aldredge

Mr. Dunagan offered the following resolution:

Whereas, We have just learned with deep regret that Hon. J. Nathan Aldredge passed from this life during the month of August, 1934; and

Whereas, J. Nathan Aldredge has, throughout his life, exemplified one of our most useful types of citizen and has given a large portion of his time and has expended sincere and worthy effort to the cause of the people of Texas; and

Whereas, J. Nathan Aldredge at one time was county attorney of Upshur County and later served on the Pardon Board of the State of Texas; and

Whereas, J. Nathan Aldredge made his life work the kind of work which stamped him as a man, unselfish in his purpose and one who used his brilliant mind to assist in promoting the welfare of our people; therefore, be it

Resolved by the Legislature of the State of Texas, That the Chief Clerk of the House of Representatives be instructed to convey to the family of J. Nathan Aldredge our very deep regret at his passing and our sympathy; and that when the Legislature adjourns today, it shall be in memory of Hon. J. Nathan Aldredge; be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to forward a copy of this resolution to the family of J. Nathan Aldredge.

The resolution was read second time, and was unanimously adopted.